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LETTER DATED 3 FEBRUARY 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF BULGARIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government I have the honour to transmit herewith the text of a note delivered by the Ministry of Foreign Affairs of Bulgaria to the respective Ministries of Foreign Affairs of the Russian Federation, Ukraine and Romania.

I should be grateful if you would have this letter and the annex circulated as a document of the Security Council.

(Signed) Jordan LOZANOV
Chargé d'affaires a.i.

93-06950 5594a (E) 040293 040293

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Annex

Note by the Ministry of Foreign Affairs of Bulgaria to the Ministries of Foreign Affairs of the Russian Federation, Ukraine and Romania

The Republic of Bulgaria strictly observes the United Nations Security Council resolutions imposing sanctions on Serbia and Montenegro.

Bulgaria cannot accept the shifting of responsibility in cases where vessels which have navigated through the territorial waters of other States in violation of the relevant resolutions of the Security Council have been allowed to enter the Bulgarian-Romanian sector of the international waterway on the Danube.

No Bulgarian companies have been involved in the shipment of oil on the Danube and there are no facilities on the Bulgarian bank of the river for the loading or unloading of oil and oil products.

Any shipping documents in contradiction of the above are to be considered invalid. It is the request of the Republic of Bulgaria that should such documents be submitted, irrespective of their origin: official State documents, company documents or others, they be withheld and the Bulgarian side be immediately informed.

The Republic of Bulgaria reaffirms its readiness to assist and cooperate in the strict enforcement of the Security Council resolutions concerning the sanctions imposed on Serbia and Montenegro.

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LETTER DATED 3 FEBRUARY 1993 FROM THE PERMANENT
REPRESENTATIVE OF ARGENTINA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the press release issued by the Argentine Government on 29 January 1993 regarding the situation in Angola.

I should be grateful if you would have this communication circulated as a document of the Security Council.

(Signed) Emilio J. CARDENAS
Ambassador
Permanent Representative

93-07003 3904d (E) 040293 040293 040293

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Annex

Press release issued by the Argentine Government
on 29 January 1993

The Argentine Government deplores the outbreak of violence in Angola, which has claimed human lives and reversed the ongoing peace process.

It therefore calls upon the Government and UNITA to resume their dialogue and agree on a new cease-fire without delay, and respect the commitments undertaken in the Bicesse Accords.

In particular, the Argentine Government calls upon UNITA to respect the results of the free and impartial elections held in September 1992 and to resume the demobilization process. Moreover, it exhorts UNITA to free, as soon as possible, the foreigners it is holding prisoner.

It likewise requests the countries of the region to abstain from any action that could lead to an extension of the conflict, which could have unforeseeable consequences.

In view of this situation, Argentina underscores the efforts of the international community to support, cooperate with and assist the negotiation process and ensure the implementation of agreements already reached.

The Argentine Government firmly supports the measures taken by the Security Council, and emphasizes the positive role that the United Nations is playing in this process through its verification mission (UNAVEM II), to which Argentina has contributed 10 civilian police officers and 6 military observers.

In this regard, the Argentine Government believes that the success of these international efforts depends on the genuine political will of all parties to achieve peace and rebuild the country.

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ORIGINAL: ENGLISH

LETTER DATED 3 FEBRUARY 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, enclosed herewith, the letter by His Excellency, Mr. Ilija Djukić, Minister of Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as documents of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

Annex

Letter dated 3 February 1993 from the Minister for Foreign Affairs of Yugoslavia addressed to the President of the Security Council

The Republic of Croatia has consistently and flagrantly violated the United Nations Charter and a number of Security Council resolutions concerning the Yugoslav crisis.

Its aggressive and expansionist policy is undoubtedly a major obstacle towards finding a peaceful and durable solution to the Yugoslav crisis. The victims of its aggression are no longer only the Serbs, but the Muslims and the United Nations forces as well.

However, the negative and unacceptable role of the Republic of Croatia has often been ignored in the deliberations within the Security Council and its responsibility was brushed aside. As a result, the Republic of Croatia was further encouraged to persist with its policy and practice of aggression, which is particularly evident in the past few days.

1. The aggression of the Croatian Army against the United Nations Protected Areas, UNPROFOR and the Serbian civilian population represents a flagrant violation of the Vance Peace Plan and relevant Security Council resolutions, in particular 724, 743 and 762.

That has seriously jeopardized the credibility of the United Nations and its ability to defend the population and ensure peace in the territories under its protection.

2. Furthermore, Croatia has totally ignored the latest Security Council resolution 802 and the Presidential Statement of 27 January 1993 and the demands contained therein - to immediately cease all military activities and withdraw its army to the original positions.

Quite the contrary, it has continued and stepped up its aggression against UNPAs. The President of Croatia, Franjo Tudjman, has even gone so far as to publicly announce on 31 January 1993 that the Croatian troops would go ahead to capture more of the United Nations Protected Areas.

In that regard, we would like to remind you that the Security Council has undertaken to consider "... What further steps might be necessary to ensure that resolution 802 (1993) and other relevant Security Council resolutions are fully implemented."

3. From the outbreak of the conflict, the Croatian Army, totalling 60,000, is actively engaged in the war in Bosnia and Herzegovina as has been confirmed by the United Nations Secretary-General, Security Council and the

General Assembly. The involvement of the Croatian army has moreover been publicly acknowledged by the President of Croatia and the Croatian Minister of Defence. Croatia has in effect expanded its authority to the territory of Bosnia and Herzegovina under its occupation and constantly attacks Serbian and Muslim population living in these areas.

This represents a clear violation of the commitments undertaken at the London Conference, relevant decisions of the General Assembly and Security Council resolutions 724, 743, 752, 757, 762 and 787. Croatia even ignores demands adopted under Chapter VII of the Charter to withdraw its troops from the territory of Bosnia and Herzegovina, cease outside interference and establish an immediate cease-fire.

4. The Croatian army has recently blocked all roads and convoys with humanitarian relief in Central Bosnia and Herzegovina in clear violation of the Security Council resolutions 770 and 776 adopted pursuant to Chapter VII of the United Nations Charter.

5. In defiance of the Security Council resolution 781, Croatia has been the main violator of the "no-fly zone" in the airspace of Bosnia and Herzegovina as has been reported by the Secretary-General.

6. The Republic of Croatia has openly violated the arms embargo imposed by the Security Council resolution 713. The Croatian territory is also used for channelling arms to the Croats and Muslims in Bosnia and Herzegovina, as well as foreign mercenaries. That is common knowledge, documented and reported by the world media, many independent observers and international organizations. The Permanent Representative of Croatia to the United Nations himself admitted in a recent interview with the BBC that his Government has been illegally importing arms.

Mr. President,

The Security Council can no longer let such policy go unpunished. It has an obligation to take all appropriate measures including those envisaged by Chapter VII, to make the Republic of Croatia honour the United Nations Charter and all relevant Security Council resolutions. If the Security Council truly seeks to contribute to the peaceful resolution of the Yugoslav crisis, it should take an impartial and even-handed attitude towards all parties to the conflict.

Failing to do so, the Security Council would embolden Croatia's apparent aspirations towards military option and make peaceful solution ever so distant and unattainable.

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(Signed) Ilija DJUKIC
Federal Minister

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ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 FEBRUARY 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft continued their violations of Iraqi airspace during the period 19-30 January 1993, as follows:

19/20 January

(a) Northern region: 31 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-8,000 m, centred over Zakho, Tall Afar, Sanjar, Dohuk, Mosul, Irbil, Amadiyah and Rawanduz.

(b) Southern region: 100 sorties, flown at speeds of 600-900 km/h and at altitudes of 8,000-11,000 m, centred over Basra, Rumaythah, Qal'at Sukkar, Shinafiyah, Busayyah, Jalibah, Samawah, Salman, southern Diwaniyah, southern Najaf, Nasiriyah, Qurnah and Artawi.

20/21 January

(a) Northern region: 24 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-8,000 m, centred over Mosul, Irbil, Zakho, Tall Afar, Dohuk and Amadiyah.

(b) Southern region: 101 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-10,000 m, centred over Nasiriyah, Qal'at Salih, Qurnah, Samawah, Salman, southern Diwaniyah, Amarah, Jalibah, Ushbayjah, Shatrah and Busayyah. At 1230 hours on 21 January, a TR-1 reconnaissance aircraft violated Iraqi airspace in the southern region, flying at a speed of 600 km/h and at an altitude of 20,000 m over Nasiriyah, Amarah, Qurnah and Samawah, and departed at 1430 hours on the same day. Furthermore, as a result of hostile bombardment on 18 January 1993, one citizen, named Rida Aswad, died of his wounds.

22 January

(a) Northern region: 24 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-7,000 m, centred over Zakho, Dohuk, Mosul, Ayn Zalah, Amadiyah, Irbil and Rawanduz. At 0945 hours on 22 January, a hostile formation of two aircraft violated Iraqi airspace east of Mosul and dropped three heat flares over that area.

(b) Southern region: 76 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-10,000 m, centred over Busayyah, Artawi, Nasiriyah, Samawah, southern Najaf, Salman, Amarah, Qal'at Salih and Qurnah.

23 January

(a) Northern region: 20 sorties, flown at speeds of 600-900 km/h and at altitudes of 5,000-7,500 m, centred over Mosul, Irbil, Dohuk, Amadiyah, Zakho and Tall Afar.

(b) Southern region: 72 sorties, flown by F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 7,000-10,000 m, centred over Nasiriyah, Samawah, Basra, Amarah, Salman, Ushbayjah, Jalibah, Qurnah, Shatrah and Busayyah.

24 January

(a) Northern region: 14 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-7,000 m, centred over Dohuk, Tall Afar, Zakho, Amadiyah and Ayn Zalah.

(b) Southern region: 64 sorties, flown by F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 7,000-9,000 m, centred over Nasiriyah, Amarah, Basra, Samawah, Salman, Qurnah, Jalibah, Artawi and Busayyah.

25 January

(a) Northern region: 20 sorties, flown by F-14 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 5,500-8,000 m, centred over Zakho, Dohuk, Mosul, Irbil and Tall Afar.

(b) Southern region: 94 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-14,000 m, centred over Basra, Qurnah, Qal'at Salih, Shatrah, Samawah, Khidr, Jalibah, Busayyah, Artawi, Ushbayjah and southern Diwaniyah.

26 January

(a) Northern region: 24 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-7,500 m, centred over Mosul, Irbil, Dohuk, Zakho, Amadiyah, Tall Afar and Rawanduz.

(b) Southern region: 88 sorties, flown by F-14, F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 7,000-10,500 m, centred over Nasiriyah, Samawah, Basra, Salman, Amarah, Busayyah, southern Diwaniyah and Ushbayjah.

27 January

(a) Northern region: 10 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,500-7,500 m, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 93 sorties, flown by F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 6,000-10,000 m, centred over Nasiriyah, Samawah, Salman, Shatrah, Ushbayjah, Qal'at Salih and Busayyah.

28 January

(a) Northern region: 24 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-8,000 m, centred over Zakho, Dohuk, Ayn Zalah, Amadiyah, Mosul, Tall Afar and Irbil.

(b) Southern region: 88 sorties, flown by F-4, F-14, F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 6,000-9,000 m, centred over Basra, Qurnah, Qal'at Salih, Nasiriyah, Samawah, Shatrah, Salman, Artawi, Ushbayjah and Khidr.

29 January

(a) Northern region: 22 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-8,000 m, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 93 sorties, flown by F-4, F-14 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 6,000-9,000 m, centred over Basra, Amarah, Nasiriyah, Samawah, Ushbayjah, Salman and Busayyah.

30 January

(a) Northern region: 30 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-7,000 m, centred over Tall Afar, Dohuk, Irbil and Amadiyah.

(b) Southern region: 103 sorties, flown by F-4, F-14, F-15 and F-16 aircraft at speeds of 600-900 km/h and at altitudes of 7,000-10,000 m, centred over Basra, Amarah, Nasiriyah, Samawah, Salman, Shatrah and Busayyah.

I should be grateful if you would have this letter distributed as a document of the Security Council.

(Signed) Adnan MALIK
Chargé d'affaires a.i.

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ORIGINAL: ENGLISH

LETTER DATED 1 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 12 September 1992, at 1130 hrs., two Iraqi forces were observed patrolling at the GCs of 40-58 on the map of Yebis in NML, north-west of border pillar 22/9.

2. On 12 September 1992, Iraqi forces were observed setting up two group tents at the GCs 004-506 on the map of Marivan in NML, border pillars 95/1 and 95/2.

3. On 16 September 1992, at 0700 hrs., 13 Iraqi forces were observed conducting training exercises and then separating on the same day around the GCs of 010-944 on the map of Maymeh River in NML, in front of border pillars 24/2 and 24/3.

4. On 20 September 1992, two Iraqi forces stationed around the GCs of 522-989 on the map of Kharatha in NML north-west of border pillar 48.

5. On 22 September 1992, at 1940 hrs., three Iraqi forces were observed demolishing bunkers and trafficking around the GCs of 353-435 on the map of Kuh-Tunnel in NML, south border pillar 25/11.

6. On 25 September 1992, at 1600 hrs., three sections of the existing embankments and mines at the GCs of 433-658 on the map of Naft-shahr in NML were removed by an Iraqi bulldozer.

7. On 1 October 1992, at 1000 hrs., Iraqi forces fired eight illuminating shells at the GCs of 375-105 and 398-122 on the map of Khosravi in NML, south-west of border pillar 56/1.

8. On 1 October 1992, at 1920 hrs., a number of Iraqi forces were observed firing in the air for 10 minutes at the GCs of 594-335 on the map of Kanisheikh in NML, west of border pillar 40/1.

9. On 5 October 1992, at 1620, 1640, 1710 and 1730 hrs., four extensive explosions were heard at the GCs of 625-248 on the map of Ghasre-Shirin in NML. As a result a white smoke covered the area.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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ORIGINAL: ENGLISH

LETTER DATED 2 FEBRUARY 1993 FROM THE PERMANENT
REPRESENTATIVE OF DENMARK TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

With reference to paragraph 4 of Security Council resolution 798 (1992) and in my capacity as representative of the Presidency of the European Community (EC), I have the honour to forward the final report of the investigative mission into the treatment of Muslim women in the former Yugoslavia.

The mission, headed by Dame Ann Warburton, made two visits to the former Yugoslavia, from 18 to 24 December 1992, and from 19 to 26 January 1993. The enclosure is a composite report on both visits (see annex I).

Further, I have the honour to forward the declaration on the follow-up to the Warburton Mission adopted by EC and its member States at the meeting of the Foreign Affairs Council in Brussels on 1 February 1993 (see annex II).

I should be grateful if you could have this letter and the enclosed documents circulated as a document of the Security Council.

(Signed) Bent HAAKONSEN
Permanent Representative

93-07015 3856f (E) 050293 070293

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Annex I

European Community investigative mission into the treatment of Muslim women in the former Yugoslavia

Report to European Community Foreign Ministers

Mandate of the mission

1. The European Council, at its meeting held in Edinburgh on 11 and 12 December 1992, discussed the increasingly alarming reports of the treatment of Muslim women in Bosnia and Herzegovina and called for the rapid dispatch of a delegation to investigate the facts and to report back urgently to the Foreign Ministers with recommendations on the action that might subsequently be taken.

2. The mission feels it must record criticisms expressed to it that its terms of reference were too restrictive. While fully respecting the terms of its mandate, the mission heard statements that similar abuses - though on a smaller scale - had been committed against other groups in the former Yugoslavia. This aspect is considered in more detail in paragraph 9 below.

Composition and working methods of the mission

3. To initiate implementation of the Council mandate as rapidly as possible, a small team met for initial briefings with the major international humanitarian agencies in Geneva and then travelled to Zagreb for in-depth investigations (20-24 December 1992). Following this first visit and in the light of the mission's preliminary report, it was decided that a further visit to the former Yugoslavia should be undertaken at an early date with the active participation of additional interested member States. This expanded mission meet in Zagreb from 19 to 21 January 1993; the team of experts proceeded to Bosnia and Herzegovina from 22 to 26 January.

4. On both visits to Zagreb, the mission met a wide range of interlocutors. These included leaders of the Catholic and Muslim religious communities, field staff of the main international agencies and representatives of both Croatian and Bosnian governmental and non-governmental organizations, including various women's groups. Contacts were also made at the political level with the Croatian Government. Additionally, delegates visited refugee centres in both Croatia and Bosnia and Herzegovina. While in Zagreb, the medical and social development experts on the mission visited a number of hospitals and held discussions with experts in gynaecology and mental health. They also conducted a small number of in-depth interviews with individual victims and eyewitnesses of human rights violations in Bosnia and Herzegovina. The mission furthermore examined a considerable amount of documentation detailing the process of clearing villages. Contact was also had in Zagreb during the mission's second visit with United States government officials currently assessing the possibility of future provision of aid.

5. In Bosnia and Herzegovina, the expert team was based in Zenica, where it visited a number of shelters for displaced persons, the hospital and food distribution centres. Delegates had discussions with the local centre for the investigation of war crimes, senior psychiatric and gynaecological staff and field staff of international and other relief agencies. A brief visit to the hospital and the main refugee centre in Travnik and discussions with representatives from Tuzla were also possible. The mission greatly appreciated the protection and assistance afforded it on the ground in central Bosnia and Herzegovina by the United Nations Protection Force and the Office of the United Nations High Commissioner for Refugees (UNHCR).

6. This is a composite report on both visits. On the whole the second visit confirmed the mission's earlier findings. Where necessary the present report elaborates or amplifies aspects of the mission's preliminary report to take account of further information and impressions gained.

General considerations

7. The conflict in Bosnia and Herzegovina has entailed widespread destruction of life and property, acts of unspeakable brutality and mutilation in contravention of international human rights standards and international humanitarian law. Rape and sexual abuse must be considered in the same context and cannot be seen in isolation from these other atrocities. Given the manner in which, and the scale on which, rape is perpetrated in the Bosnia and Herzegovinian conflict, it outrages personal dignity, is a particularly humiliating and degrading treatment and a clear form of torture.

8. Additionally, rape is a violation of a woman's physical and psychological integrity and the crime carries with it a formidable social stigma. For many Muslim women this may lead to social marginalization and rejection by their former communities, unless there is positive action to counteract this. The mission was glad to note that priority is increasingly being given to education in this sense.

9. The mission was fully conscious that its mandate focused on the investigation of alleged abuses against Muslim women in Bosnia and Herzegovina. However, the mission considers it important to place on record its view that rape and sexual abuse are restricted by neither nationality nor gender. That Bosnia and Herzegovinian Muslim women form the vast majority of the victims of rape is explicable in terms of the intensity and pattern of the conflict. The thrust of Bosnia and Herzegovinian Serb attacks have concentrated on areas with a large Muslim population such as the Brcko region (44 per cent Muslim), the Drina valley (Zvornik - 60 per cent, Bratunac - 64 per cent, Srebenice - 74 per cent, Visegrad - 63 per cent, Gorazde - 70 per cent and Foca - 51 per cent) and the Prijedor area (44 per cent Muslim) in an effort to carve out ethnically homogeneous territory between Serbia and the Serbian areas of occupied Bosnia and Herzegovina and Croatia. This is not to ignore the fact that there are many and disturbing reports of rape of Croat and Serbian women and children, as well as sexual abuse of men in detention

camps. The mission therefore has to emphasize that all those who are victims of this appalling conflict must be the concern of the international community.

10. In approaching its task, the mission was keenly aware of the serious constraints on any scientifically based analysis in the conditions prevailing in Bosnia and Herzegovina and in Croatia. Approximately 70 per cent of Bosnia and Herzegovinian territory is in Serbian control and it is extremely difficult for the international agencies to work in these areas. UNHCR estimates that over 2.6 million persons were displaced by November 1992: 670,000 of them in Croatia, of whom 370,000 are Bosnian Muslims, and 500,000 elsewhere in Europe. Given this massive displacement and the intensity of the ongoing conflict, accurate statistics on killings, disappearances and other atrocities - including rape - are not available. The inherent difficulties involved in compiling statistics on rape and other sexual abuse have been hugely accentuated in the current chaotic conditions.

11. Some interlocutors, particularly among women's groups, were critical of what they perceived as the failure of European Governments to bring about an effective end to the conflict in the former Yugoslavia. During the mission's second visit the current peace negotiations in Geneva appeared to have softened attitudes. Nevertheless the point was repeatedly made that humanitarian aid, while necessary and welcome, left unresolved the central political issue of how to end the conflict.

12. The delegation was careful, in conducting its work, to allow for possible exaggeration or an element of propaganda in some of the information presented to it.

Findings

13. Within the limitations outlined above, the mission sought to arrive at a view (a) as to the scale of the problem and (b) whether or not the rape of Muslim women could be described as "systematic". On the basis of its investigations the mission is satisfied that the rape of Muslim women has been - and perhaps still is - perpetrated on a wide scale and in such a way as to be part of a clearly recognizable pattern, sufficient to form an important element of war strategy.

A. Scale of the problem

14. The general view expressed by interlocutors whom the mission considered responsible and credible was that a horrifying number of Muslim women had been raped and that this was continuing, if on a smaller scale than during the summer. It will probably never be possible to calculate precisely the number of victims involved. Direct evidence from victims is extremely difficult to obtain. Women are understandably reluctant to recall details of the atrocities done to them and many may refer to their own experiences in the third person. However, on the basis of its investigations, the mission

accepts that it is possible to speak in terms of many thousands. Estimates vary widely, ranging from 10,000 to as many as 60,000. The most reasoned estimates suggested to the mission place the number of victims at around 20,000.

15. The enormity of the suffering being inflicted on the civilian population in this conflict defies expression. Indications are that at least some of the rapes have been committed in particularly sadistic ways, so as to inflict maximum humiliation on the victims, on their family and on the whole community. In many cases there seems little doubt that the intention is deliberately to make women pregnant and then to detain them until pregnancy is far enough advanced to make termination impossible, as an additional form of humiliation and constant reminder of the abuse done to them.

16. The mission repeatedly heard accounts - including direct testimonies from a small number of victims - of multiple rapes against women in small centres (variously described as rape camps or "bordellos") located in schools, police stations, hotel restaurants, etc. It is, however, not possible to speak authoritatively of the situation in parts of eastern Bosnia and Herzegovina where reports suggest there may be larger concentrations of women in detention centres. Satisfactory verification of such reports by the relevant international agencies has not been possible, particularly for the period May/June 1992, to which a great many reports refer. Certain of these purported centres are located in areas currently inaccessible to international investigation. On-site verification is also severely handicapped by the practical impossibility of unannounced inspections, which provides the opportunity for the removal of evidence. Experience would also suggest that, once the existence of such centres becomes public knowledge, they tend to be closed down. The mission, in looking at the issue of on-site inspections, was also guided by advice received locally which stressed the need, in pressing such action, to have regard for the welfare of women so detained.

17. The mission found it difficult to obtain more than approximate indications of the number of Muslim women pregnant as a result of rape. One estimate, based on a indicative figure of 20,000 women raped, suggested a possible figure of 1,000 pregnancies. A precise figure may never be ascertained, as there is strong evidence that many victims made pregnant by force and fearing possible rejection by their communities, choose to terminate the pregnancy. This is a major reason, too, for uncertainty as to the number of births that may result from rape. For these women who have been held captive beyond the legal period for termination in both Croatia and Bosnia and Herzegovina, the indications are that few, if any, are likely to wish to keep children conceived under such circumstances. The Bosnian preference is that these children be brought up in Bosnia and Herzegovina. Adoption in Croatia is impossible because they are citizens of Bosnia and Herzegovina and there currently exists no legal provision between Croatia and Bosnia and Herzegovina to cover adoption, including adoption abroad. It is understood, however, that work is being undertaken in this area. The mission is of the view that the question of adoption abroad must be handled sensitively, in close consultation with both the Croatian and Bosnia and Herzegovinian government authorities,

and in the best interests of the child. Foreign adoptions should, in general, be considered only in circumstances where local adoption is impractical and where the alternative is institutionalization.

B. "Systematic" nature of the rapes

18. A high incidence of rape is commonly associated with conflict situations. Accordingly the delegation examined the hypothesis that rape in Bosnia and Herzegovina should be viewed as a by-product of war rather than as a "systematic" abuse taking place on the instructions of or under the direction of the commanding authorities.

19. Throughout its work, however, the delegation frequently heard - including from several individual witnesses and sources - that a repeated feature of Serbian attacks on Muslim towns and villages was the use of rape, often in public, or the threat of rape, as weapon of war to force the population to leave their homes. Probably in most cases, other forms of physical and mental violence to persons were associated with rape, accompanied or followed by the destruction of homes, mosques and churches. The mission saw examples of statements and documents from Serbian sources which very clearly put such actions in the context of an expansionist strategy.

20. Over all, the mission accepted the view that rape is part of a pattern of abuse, usually perpetrated with the conscious intention of demoralizing and terrorizing communities, driving them from their home regions and demonstrating the power of the invading forces. Viewed in this way, rape cannot be seen as incidental to the main purpose of the aggression but as serving a strategic purpose in itself. While the mission was in no doubt that the conflict provides a cloak for criminality of all sorts, it felt that the type and scale of rapes being reported point towards a deliberate pattern.

C. Health and social development findings

Croatia and Bosnia and Herzegovina

21. The mission was impressed by the great efforts being made by those involved in bringing assistance and comfort to refugees and displaced persons wherever it met them. Whether nationals of the countries in conflict or internationally recruited, they are at full stretch. Improvement in the quantity and quality of the provision for, notably, women victims can be achieved only with better coordination and facilitation of governmental, non-governmental and private efforts and carefully targeted additions to resources - including staffing. Improved political stability would simplify the task, but greater support is anyway needed.

22. In considering the special needs in the fields of health and social support of Bosnian Muslim women who have been victims of atrocities, the mission unavoidably dealt with much which applies to the wider refugee

population too. We therefore emphasize the particular vulnerability of these women. They need - and by no means always get - protection and often priority in the provision of humanitarian assistance.

23. The mission found that one of the main needs of refugees and displaced persons was space. For women, in particular, who live for months in places where 200 or more men, women and children have only a bed or mattress in a row as their living space, recovery from trauma is impossible.

24. On the other hand, both in Croatia and Bosnia and Herzegovina, the mission encountered an understandable reluctance to envisage new accommodation and other facilities, e.g. medical care, that might delay the return of refugees and displaced persons to their place of origin, the generally accepted goal. Hence the mission recommends that, wherever possible, mobility should be the keynote in making such a provision.

Bosnia and Herzegovina

25. In the refugee camps the main problems the delegations identified were the lack of sanitation, overcrowding in damp, dirty and lice-infested conditions, no separate accommodation for women or for families and the possibility of the rapid spread of contagious diseases particularly in the summer months. Food provision was inadequate with little nutritional value. There is no special food provision for women with special needs, e.g. pregnant women, women with newborn babies and toddlers and no access to specialized baby foods. No activities are organized for women or children.

26. In the hospitals the mission identified problems within current health-care provision in free Bosnia and Herzegovina including a lack of basic facilities and equipment. Many staff are working in dangerous and difficult conditions over long and exhausting hours. They are required to take on increased numbers of patients, are not receiving their regular salary and often go without food. They constantly have to make difficult ethical and moral judgements about the relative priorities of health requirements. The lack of appropriate drugs for many physical and psychiatric conditions leads to higher rates of mortality amongst vulnerable patient groups, including higher rates of perinatal mortality.

27. There is a general problem of ensuring access, both to the hospital by patients and to patients by health professionals. These difficulties are most acute for less mobile individuals, e.g. women with children, pregnant women, the elderly population and women who may be traumatized through their experiences in the conflict, including rape and sexual abuse. The problem of early discharge of patients from hospital, including newly delivered mothers, alongside the lack of follow-up provision and community based care means the continuation of considerable untreated pathology in these patients.

Recommendations

A. Coordination

28. The mission sees an urgent need for careful and extended matching of offers of assistance with the needs and capabilities of organizations that could implement that aid. A clearing-house (possible under United Nations auspices), which could assist governmental, non-governmental and private organizations in ascertaining both what is required and to whom they can give it would be a considerable contribution. The mission suggests that the EC Commission should seriously consider establishing a presence in the area for a period to serve as a coordinating focus for the Community within this wider framework.

29. The mission hopes that Ministers will find it possible to decide on a practical and urgent response by EC and its member States to the problems outlined in this report. Using the work of this delegation and others, the mission suggests that a meeting is urgently organized with the help of the Community which would allow a follow-up of the main assistance recommendations with as wide a participation as possible (including other Governments that are actively concerned with the question). This would involve EC member States and the relevant organs of the Community, and would be aimed at assisting United Nations bodies such as UNHCR, the World Health Organization (WHO) (both European and regional offices), international non-governmental organizations and the host Governments. Appointed experts from member States could help the meeting to set an overall financial framework for initiatives, and could be charged with developing a detailed costing of programmes of assistance. Such a meeting should be organized as early as possible in February.

B. Health and social development recommendations for Bosnia and Herzegovinian Muslim women

30. The issues which came to the fore in attempting to assist the victims of rape were mobility and space. The particular nature of Bosnia and Herzegovinian topography has both aided the perpetrators in accomplishing their acts and hindered the victims in seeking assistance. There is a pressing need everywhere for physical facilities to be built, whether to house medical help or to provide space for living, counselling or after-care.

31. Raped women require a range of skilled psychological therapies, which take into account the complex and long-term nature of problems experienced, the reluctance to disclose sexual violation, the social stigma associated with rape, the unwillingness of women to seek out help and the fact that they do not wish to be readily identified as rape victims. It is therefore essential to emphasize the relatedness of rape to other forms of physical and psychological trauma and that rape services should be provided alongside other similar counselling services.

Croatia

32. It is important that help must be provided in three phases, immediate, medium-term and long-term, to specific target groups. The immediate aid should include screening procedures and counselling by cross-disciplinary teams in local communities (refugee camps, hostels, neighbourhoods, hospitals) along the lines of models observed in camps for Croatian refugees. It should aim to activate refugees by creating self-support groups. There is also an urgent need for psychiatric liaison between gynaecological departments, other medical departments and psychiatric/psychological departments. Gynaecological services, including pre- and antenatal care and facilities for the termination of pregnancy, if needed, are also a matter of urgency.

33. In the medium to long term, there is a clear need for educational material to be created and dissemination: information material produced by experts from Community countries: leaflets, booklets, radio, television and educational seminars for different professional and volunteer groups, by experts from member States. This help should also include supervision and support of field services by expert teams. Rehabilitation must be the aim of long-term assistance, and this again should include educational programmes, and occupational schemes to provide the grounds for sustainable redevelopment.

34. The mission was aware that a large number of illegal refugees and displaced persons in Croatia have difficulties in gaining access to the health system, despite the great efforts of the Croatian authorities to cover their needs. This aggravates further the position of the victims of rape and abuse, who desperately need easily accessible and qualified help.

Bosnia and Herzegovina

35. It is essential in the medium term to remove certain vulnerable individuals from the conditions of the refugee camps, in particular, women with children, pregnant women and women who have already been subjected to a variety of trauma and abuse. The removal of such individuals to more tolerable conditions cannot be achieved in the immediate term.

36. In the immediate future certain basic conditions must be met to alleviate current hardships. These basic needs include: proper sanitation and washing facilities to be installed at all refugee centres in Bosnia and Herzegovina, ensuring that adequate nutrition is provided to these centres, particularly to the vulnerable groups and the provision of adequate health care to women in refugee centres by mobile units which would include screening for medical and psychological pathology, family planning, prenatal and postnatal care.

37. The mission, taking the problems of mobility into account, emphasizes that the rapid establishment of an emergency ambulance service would improve the accessibility of health facilities for the refugee and displaced persons population in the area of Bosnia and Herzegovina. This service should include mobile medical teams consisting of specially trained medical or paramedical and nursing staff.

38. These teams should target services for traumatized and vulnerable women: screening for acute medical and psychological pathology, first aid, follow-up treatment (including the provision of drugs) and health education. The mobile units should be linked to the major hospitals in Bosnia and Herzegovina i.e. Sarajevo, Zenica, Travnik and Tuzla.

39. The mission also sees as essential the provision of information leaflets describing the symptoms of stress and the effects of trauma and outlining the methods of contacting sources of help and obtaining further information. These should be distributed to refugee centres, hospitals, schools, cultural and religious centres, amongst others.

40. The mission recommends that more appropriate and acceptable housing be provided for the most traumatized women amongst the refugee and displaced persons population. To this end we recommend the model of housing development being provided by Norwegian People's Aid in Zenica.

C. Measures for EC member States

41. It is suggested that Community Governments receiving Bosnia and Herzegovinian refugees, and particularly Muslim women who have suffered rape, should ensure that their visa procedures are as rapid as possible. In addition, Governments should consider the possibility of making places available for Bosnia and Herzegovinian Muslim women, especially those needing medical treatment, to enter their countries on a temporary basis.

D. War crimes and support for documentary evidence

42. The mission is aware of work currently under way in the United Nations and elsewhere in this area. It notes existing provisions under the Geneva Conventions and Protocols for the protection of women against rape, enforced prostitution or any form of indecent assault. Practised on the scale and for the purposes witnessed against Muslims in Bosnia and Herzegovina, the mission believes there is now a strong case for clearly identifying these abuses as war crimes, irrespective of whether they occur in national or international conflicts.

43. The mission wishes to emphasize that those bodies, whether officially sponsored or not, already seeking to assemble and collate documentary evidence within Bosnia and Herzegovina and other parts of the former Yugoslavia, are in great need of funds even for basic office equipment and supplies and transport. To pursue the search for firm evidence against those responsible for allowing such abuse of women, both through these centres and in the area where the abuse has happened, would seem a matter of urgency.

44. The mission hopes that the above recommendations will allow Ministers to launch an effective programme of relief and assistance to victims, in addition to any other initiatives at the political level which Ministers might decide upon.

Appendix

Participants

Dame Anne Warburton*

Mrs. Anne Anderson*

Minister David Andrews

Professor Libby Arcel*

Dr. Ralph Kinnear*

Dr. Gunilla Kleiverda

Mme Lizin

Professor Alice Marangopoulos-Yotopoulos

Dr. Gillian Mezey*

Mrs. Philomena Murnaghan*

Mrs. Daniela Napoli

Ms. Mindy Sahwney

Mrs. Francisca Sauguillo Perez del Arco

Dr. Cornelia Sorabji

Mrs. Maria Regina Tavares da Silva

Mrs. Sabine Vollmar-Libal

Mrs. Simone Weil

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* Participants in both phases.

Annex II

Declaration on the follow-up to the Warburton mission adopted at Brussels on 1 February 1993

The Community and its member States welcome the report submitted by the Warburton mission on its findings during visits conducted from 20 to 24 December 1992 and 19 to 26 January 1993.

The decision by the European Council to establish this investigation is vindicated by the findings. Rape has been perpetrated on a wide scale in former Yugoslavia, in such a way as to be part of a clear pattern. The great majority of the many thousands of victims have been Muslims.

The European Community and its member States are appalled by these crimes and the inhumanity which marks the present conflict. They intend to implement the recommendations in the report on assistance to the Bosnian Muslim women victims of rape and other atrocities.

At a political level, the Community and its member States will approach the parties to the conflict, and in particular the political leadership, to impress on them the incontrovertible nature of the evidence and the imperative need to bring these abhorrent practices to an end. In this context, the Community and its member States will pursue full implementation of United Nations Security Council resolution 798 (1992) and will endeavour to inspect the locations associated with the practice of rape.

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Security Council

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GENERAL

S/25241
4 February 1993

ORIGINAL: ENGLISH

LETTER DATED 26 JANUARY 1993 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the United Nations Observer Mission in El Salvador (ONUSAL).

The members of the Security Council will recall that, in my report to the Council of 23 November 1992 (S/24833, para. 74), I stated that the Government of El Salvador had informed me that it had requested the Supreme Electoral Tribunal, as the competent authority, to consider a proposal that the United Nations verify the next presidential, legislative and municipal elections due to be held in El Salvador in March 1994.

I now wish to inform the Security Council that I have received from the Salvadorian authorities a letter dated 8 January 1993, informing me that, based on the reply received from the Supreme Electoral Tribunal, the Government had decided to request the United Nations to verify the forthcoming general elections.

Given the importance of these elections, which will be the first to take place after the end of the conflict and should in the normal course of events constitute the logical culmination of the entire peace process, it would be my intention to recommend the acceptance of the request of the Government of El Salvador. As I indicated in my report of 23 November 1992 (S/24833, para. 83), the personnel needed for this task would be phased in as required by the electoral process and their assignment would end immediately after the elections in March 1994. I shall present to the Security Council, in the report requested of me in paragraph 8 of resolution 791 (1992), my recommendations regarding the administrative and financial implications of the request.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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UNITED
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General Assembly Security Council

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S/25242
4 February 1993

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GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30, 35, 73 and 74
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-eighth year

Letter dated 4 February 1993 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your attention.

Several media organizations reported statements made by Mr. Yitzhak Rabin before the Israeli Parliament with regard to the "agreement" made between Israel and the American Administration on the issue of deportation. The New York Times of 4 February 1993 reported that the Prime Minister stated "that his agreement with the United States to bring back a quarter of the 400 Palestinians banished to Lebanon had preserved his right to deport hundreds of more people in the future". Such statements compound the reasons for the international community to reject such kinds of "agreements", drawn up without the knowledge of the Security Council.

The Security Council, in its unanimously adopted resolution 799 (1992), reaffirmed the applicability of the Fourth Geneva Convention of 12 August 1949 1/ to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and affirmed that deportation of civilians

constitutes a contravention of Israel's obligations under the Convention. In addition, the resolution demanded that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported.

Accordingly, we reiterate our belief that this "agreement" is not in compliance with resolution 799 (1992) and does not fulfil the demand made by the Security Council in that resolution. Furthermore, acceptance of it will be tantamount to legitimizing deportation. We also firmly believe that the Security Council is duty-bound to consider immediately the report dated 25 January 1993 submitted by the Secretary-General. 2/ In resolution 799 (1992), the Council decided to keep the matter actively under review, and it should therefore do so.

I would be grateful if you could arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 30, 35, 73 and 74, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973.

2/ S/25149.

UNITED
NATIONS

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Security Council

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GENERAL

S/25243
4 February 1993

ORIGINAL: ENGLISH

LETTER DATED 29 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government and with reference to my letter of 14 October 1992 (S/24670), I have the honour to transmit the attached note verbale dated 6 January 1992 from the Interests Section of the Islamic Republic of Iran in Washington to the Embassy of Algeria, to be forwarded to the United States Department of State on the violation of the territory of the Islamic Republic of Iran by the forces of the United States in the Persian Gulf region.

The attached note serves to make a correction in annex VII of document S/24670.

It would be highly appreciated if this letter was circulated as a document the Security Council.

(Signed) Kamal KHARRAZI
Permanent Representative

Annex

Note verbale dated 6 January 1992 from the Interests Section of the Islamic Republic of Iran in Washington, addressed to the Embassy of Algeria in Washington

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of the Democratic and Popular Republic of Algeria and has the honour to refer to diplomatic note No. 91-54/7390L, dated 17 December 1991. Please note that in item 1 of the unofficial translation of the text, the position of the Iranian aircraft should read E5645 as opposed to E5654. It is respectfully requested that the United States Department of State be advised of this correction, and that the Interests Section be informed of their response at the Embassy's earliest possible convenience.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25244
4 February 1993
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Reaffirming its resolution 687 (1991) of 3 April 1991, and in particular paragraphs 2, 3, 4 and 5 thereof, and its resolutions 689 (1991) of 9 April 1991 and 773 (1992) of 26 August 1992, and its other resolutions on this matter,

Having considered the report of the Secretary-General of 18 January 1993 (S/25123),

Noting with approval that work is being completed on the realignment of the demilitarized zone referred to in paragraph 5 of resolution 687 (1991) to correspond to the international boundary demarcated by the United Nations Iraq-Kuwait Boundary Demarcation Commission,

Deeply concerned at recent actions by Iraq in violation of relevant Security Council resolutions, including the series of border incidents involving the United Nations Iraq-Kuwait Observation Mission (UNIKOM),

Recalling the statements made by the President on behalf of the Council on 8 January 1993 (S/25081) and on 11 January 1993 (S/25091),

Acting under Chapter VII of the Charter of the United Nations,

1. Underlines once again its guarantee of the inviolability of the international boundary between the State of Kuwait and the Republic of Iraq and its decision to take as appropriate all necessary measures to that end in accordance with the Charter, as provided for in paragraph 4 of resolution 687 (1991);

2. Approves the report, and decides to extend the terms of reference of UNIKOM to include the functions contained in paragraph 5 of the report;

3. Requests the Secretary-General to plan and execute a phased deployment of the strengthening of UNIKOM taking into account the need for economy and other relevant factors and to report to the Council on any step he intends to take following an initial deployment;

4. Reaffirms that the question of termination or continuation of UNIKOM and the modalities of UNIKOM will continue to be reviewed every six months pursuant to paragraphs 2 and 3 of resolution 689 (1991), the next review to take place in April 1993;

5. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

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GENERAL

S/25245
4 February 1993

ORIGINAL: ENGLISH

NOTE VERBALE DATED 3 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CANADA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Canada to the United Nations presents her compliments to the Secretary-General of the United Nations and, with reference to his note dated 26 October 1992, has the honour to advise that Canada does not currently hold any assets of the nature referred to in paragraphs 1 and 2 of Security Council resolution 778 (1992) of 2 October 1992.

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UNITED
NATIONS

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General Assembly Security Council

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GENERAL

A/47/883
S/25246
5 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 5 February 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

With reference to paragraph 9 of General Assembly resolution 47/121 of 18 December 1992, which, inter alia, "calls upon Member States to notify the Secretary-General regarding the availability of personnel and matériel to assist and facilitate" in the effort to consider what resources may be required to improve the implementation of all relevant resolutions of the Security Council regarding Bosnia and Herzegovina, I have the honour to inform you that the Government of Turkey is prepared, in principle, to contribute both personnel and logistic support to the United Nations Protection Force (UNPROFOR).

I would be grateful if you could have the text of the present letter circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Mustafa AKŞIN
Ambassador
Permanent Representative

93-07474 (E) 050293

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UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/48/79
S/25247
8 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 8 February 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith the Statement by His Excellency, Mr. Ilija Djukic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security", and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

ANNEX

Statement dated 8 February 1993 of the Minister for Foreign Affairs of the Federal Republic of Yugoslavia, concerning the current peace negotiations regarding Bosnia and Herzegovina

I have been authorized by the President of the Federal Republic of Yugoslavia to make the following statement:

The Federal Republic of Yugoslavia supports the plan of the Co-Chairmen as the most complete and realistic framework for establishing just and lasting peace in Bosnia and Herzegovina and is using all its influence so that the plan will be accepted.

Yugoslavia is aware that the plan is not ideal, since it contains certain shortcomings. These, however, can be ironed out through further negotiations. The establishment of peace is in the best interest of all three peoples - Muslim, Serb, Croat - and that is why we are calling on all sides involved to say "yes" to the plan.

The Federal Republic of Yugoslavia has from the beginning of the work of the Conference on the Former Yugoslavia given full support to the peace process and the tireless efforts of the Co-Chairmen.

Despite consistent calls for the use of force by some parties and others concerned, Yugoslavia is convinced that there is no alternative to a political solution reached by all three sides to the tragic civil war in Bosnia and Herzegovina.

I have informed the President of the Security Council and Mr. Vance and Lord Owen of our continuing support for their plan and our readiness to assist in the reaching of a just and lasting peace in Bosnia and Herzegovina.

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/25248
8 February 1993

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE NEW YORK ROUND OF THE PEACE TALKS ON BOSNIA AND HERZEGOVINA (3-8 FEBRUARY 1993)

INTRODUCTION

1. In my report of 2 February (S/25221) to the Security Council, I related the efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to help to bring about peace in Bosnia and Herzegovina. I endorsed the peace package put forward by the Co-Chairmen as a just and viable settlement for all sides.

2. The Co-Chairmen, Cyrus Vance and Lord Owen, decided to hold a round of the peace talks in New York in order to be closer to members of the Security Council so that the good offices of the Council could be used to advantage in helping the three sides to overcome their outstanding differences. Accordingly, since coming to New York on 1 February, the Co-Chairmen have had extensive discussions with members of the Security Council, meeting in groups, and have also negotiated intensively over Friday, Saturday and Sunday, 5 to 7 February, with the three sides.

I. DISCUSSIONS WITH MEMBERS OF THE SECURITY COUNCIL

3. The Co-Chairmen met the President of the Security Council on 2 February. The same day they met with the five permanent members of the Council. On the following day, they met with the non-aligned members of the Council and also with the remaining five members.

4. The Co-Chairmen explained the process that had led them to propose their peace package and the factors that had influenced the contents of that package. They also reported the attitudes of the three sides participating in the peace talks.

5. The Co-Chairmen emphasized to the members of the Security Council their rejection of ethnic cleansing, their strongly held view that human rights and fundamental freedoms must be woven into the peace package, their insistence that Bosnia and Herzegovina should remain a sovereign, independent, integral

and multi-ethnic State in which all parts of the population could live in peace in accordance with their respective cultures and traditions.

6. The Co-Chairmen further explained that their priorities were to stop the conflict; to develop a Constitution for Bosnia and Herzegovina in accordance with the constitutional principles that had been signed by the three sides (see S/25100, appendix III); and to devise interim arrangements for the period until elections could be held pursuant to the new Constitution - all to be consistent with the principles laid down by the Security Council and at the London session of the International Conference. The Co-Chairmen also explained their concerns about the danger of the conflict spreading. In this regard, the Co-Chairmen have continued to maintain the view that even a selective lifting of the arms embargo would not be in the interest of peace or of human rights but could, instead, lead to a devastating conflagration engulfing the Balkan region.

7. The Co-Chairmen conveyed their assessment to the members of the Security Council that the peace package that they had put forward was enforceable. In their estimation, a United Nations force of 15,000 to 25,000 would be required to implement the package in Bosnia and Herzegovina.

8. The Co-Chairmen repeatedly and strongly urged the members of the Security Council to establish an international criminal court to try persons accused of grave breaches of international humanitarian law in former Yugoslavia.

9. The Co-Chairmen also met with the Contact Group of the Organization of the Islamic Conference (OIC) and developed many of the same points. During the weekend of 6 and 7 February 1992, the Co-Chairmen also spoke to Foreign Minister Djukic of the Federal Republic of Yugoslavia (Serbia and Montenegro) and briefed him on their efforts. He said that he and his Government continued to express fullest support for the Co-Chairmen and their plan.

II. MEETINGS WITH THE THREE BOSNIAN SIDES

10. The Co-Chairmen held several rounds of discussions with each of the three Bosnian sides.

A. The Bosnian government side

11. The Bosnian government side took the position throughout the New York round of the talks that it was not willing to discuss either the provincial boundaries or interim governmental arrangements. It also declined to meet together with the other two sides. The delegation raised the issue of the non-implementation of agreements reached at the London session of the International Conference and also the non-implementation of prior decisions of the Security Council. The delegation suggested that work should rather concentrate henceforth on the drafting of a new Constitution for Bosnia and Herzegovina. The Co-Chairmen told the delegation that the most optimistic estimate was that that would take three months.

12. With respect to interim governmental arrangements, the Bosnian government side wanted them to be built around the existing Government. It reintroduced into the discussion written comments (annex I) that it had presented earlier on a preliminary version of the working paper on interim governmental arrangements (see S/25221, annex V). The Co-Chairmen explained that most of the points contained in the written comments had already been accommodated in the working paper on interim governmental arrangements and also indicated why others had not been included.

13. The government delegation proposed that Serb heavy weaponry be placed immediately under international control and offered to do the same. The Co-Chairmen told the delegation that the only way that could be achieved quickly was through adopting their comprehensive peace settlement. As to further measures to deal with heavy weapons, the Co-Chairmen explained that an enforceable no-fly ban would be necessary in the event of a cessation of hostilities and that they were exploring with the United Nations Protection Force (UNPROFOR) the possibility that aircraft assigned to enforcing the no-fly zone might also be empowered to take action against any heavy weapons that have not been declared to UNPROFOR or which were breaching the cease-fire.

14. The Co-Chairmen discussed those elements that they hoped might be included in a future Security Council resolution supporting the peace package. In particular, the Co-Chairmen stressed that UNPROFOR and all other United Nations agencies would need to be authorized to have unobstructed access to anywhere in Bosnia and Herzegovina.

15. In these discussions, the Co-Chairmen indicated that they felt that it would enhance the authority of the proposed International Human Rights Commission for Bosnia and Herzegovina if its establishment was to be directly recommended by the Security Council and could address human rights and humanitarian issues with particular attention to measures for the protection of refugees and displaced persons who wished to return to their homes.

16. The Co-Chairmen also stressed that the establishment of an international criminal court to deal with persons accused of grave breaches of international humanitarian law in the former Yugoslavia would reassure people that, even after a cessation of hostilities, it would be possible to bring perpetrators of war crimes and crimes against humanity to justice.

B. The Bosnian Serb side

17. The Bosnian Serb side continued to maintain that many predominantly Serb areas had been excluded from Serb majority provinces. It continued to take the position that it would be ready to accept and to sign the map proposed by the Co-Chairmen (see S/25221, annex III) only if the populations of contested areas were consulted. The Co-Chairmen continued to reject this on the ground, as stated in my previous report (S/25221, para. 11), that there had been so much ethnic cleansing and displacement of population in Bosnia and Herzegovina that it would be wholly impractical to hold democratic consultations.

18. The Bosnian Serb side submitted to the Co-Chairmen a map suggesting wholesale changes in the proposed provincial boundaries. The Co-Chairmen said the other parties were most unlikely to agree, but they agreed to raise again with the Bosnian government delegation the suggestion, first put on the table in Geneva, to create two new provinces on the eastern border (see annex II). Of particular importance was that the expanded province No. 4 would be likely to have a majority of Muslims and include a number of towns like Brcko and Janja where Muslims were in the majority while, in the province No. 4 suggested by the Co-Chairmen, the Serbs were likely to form the majority.

19. With regard to interim arrangements, the Bosnian Serb side stated that it could not accept any arrangements that were based on the premise that the existing Constitution of Bosnia and Herzegovina continued to be valid or that the interim Government would be a continuation of the current Presidency. They continued to prefer not to call it the interim central Government but rather the "central coordinating body".

C. The Bosnian Croat side

20. It will be recalled that the Bosnian Croat side has already signed the constitutional principles, the map specifying the proposed provincial boundaries and the agreement dealing with military and security issues.

21. In their discussions with the Bosnian Croat side, the Co-Chairmen sought to explore whether any adjustments could be made in the proposed provincial boundaries that would make them more acceptable to the other two sides. The Bosnian Croat side indicated that it was prepared to entertain some changes. It put forward a number of suggestions, particularly in the eastern border of Travnik Province (No. 10) and the western border of Posavina Province (No. 3). A revised map showing the possible changes is contained in annex III to the present document.

III. THE PEACE PACKAGE

22. The Co-Chairmen indicated to the parties their intention to establish a boundary commission, with the participation of the three sides, that would determine the precise delimitation of the provinces consequent on the proposed map, and that might in addition assist the sides in negotiating any possible adjustments.

23. From the foregoing account on the New York round of the peace talks, it will be seen that the possibility of reaching agreed solutions among the three Bosnian sides was reduced by the refusal of the Bosnian government delegation to meet with the other sides or to discuss provincial boundaries. In the circumstances, the Co-Chairmen were left with the option of maintaining the peace package in the form it was presented to the Security Council in my last report (S/25221, annexes II-IV) or to modify it so as to address as far as possible the often-repeated concerns of the two sides that had not yet accepted the map dealing with provincial boundaries.

24. It was the considered judgement of the Co-Chairmen, taking into account the work done at the New York round of the peace talks, that some modifications were possible in the proposed provincial boundaries that might be acceptable to all the parties. Accordingly, they submitted to the Bosnian Croat side, as the party most affected, a revised map of the provincial boundaries. The map was then presented to the Bosnian Serbs and they rejected it and also reconfirmed their position on the original map put forward by the Co-Chairmen. The Bosnian government side was given a copy of the revised map for information, but since it was not agreed by all the parties the Co-Chairmen remain committed to their original proposal.

Annex I

Comments on the "Interim arrangements for Bosnia and Herzegovina" of the delegation of the Republic of Bosnia and Herzegovina to the International Conference on the Former Yugoslavia, dated 28 January 1993

1. The interim period for the establishment of peace until the adoption of the new Constitution and until the democratic elections take place opens a series of legal and practical questions. We do appreciate the efforts of the Co-Chairmen to restore as soon as possible all the vital functions and the whole territory of Bosnia and Herzegovina. We would like to draw your attention to the most important implications in the case of the application of the interim arrangements.

2. During the process of the international recognition of Bosnia and Herzegovina all the relevant political factors in the world, including the Badinter Commission, established that Bosnia and Herzegovina fulfils all democratic standards. The legitimacy of its democratically elected organs has not been questioned at all. Even in the situation of the aggression the legitimacy and legality of a State that is defending itself has been maintained. On the contrary, the proposed interim arrangements envisage the suspension of the democratically elected organs and the interruption of the continuity of the constitutional order.

3. This proposal produces two negative effects - it deprives the legally and democratically constituted organs of their legitimacy and at the same time it legalizes the "para-State" structures. Thus legitimate self-defence is negated and aggression is rewarded.

4. The document does not envisage any democratic and institutional framework for the elections of the representatives of three constituent peoples. It also ignores the group "others" and thus deprives a considerable part of the population of its basic democratic right to be represented in the Government. The proposal envisages decision-making by consensus in the coordinating bodies without offering any solution to overcome blockades when consensus cannot be reached. The proposal also ignores the existence of a series of other institutions which are a part of the legal system such as the Central Bank of Bosnia and Herzegovina, the Post and Telecommunications of Bosnia and Herzegovina, the National Power Authority, etc.

5. All these proposals suggest the completion of the ethnic division and of the destruction of Bosnia and Herzegovina that was started by the delimitation of provinces on the ethnic principles and was continued by the proposed constitutional arrangements.

6. In order to avoid these and other negative consequences, we propose that the interim solutions be established according to the current constitutional arrangements.

7. According to amendment LXXIII to the Constitution of the Republic of Bosnia and Herzegovina, the Presidency of Bosnia and Herzegovina along with the President of the Parliament and the Government and the Commander-in-Chief of the Bosnia and Herzegovina Army has the role of the Parliament in the situation of war. This body, whose national composition can be balanced, can at the proposal of the International Conference on the Former Yugoslavia appoint an interim Government and establish its terms of reference as well as those of the proposed coordinating bodies. The same body can appoint the coordinating bodies of the provinces in the same way. The Presidency, enlarged for that purpose, would, on the basis of its current constitutional mandate, amend the existing Constitution by issuing a decree with the force of law. The composition of the interim Government, i.e. of another corresponding body, would be ethnically balanced, as envisaged by this proposal. No individual involved in the aggression, war crimes or crimes against humanity and international law could be appointed members of such a body.

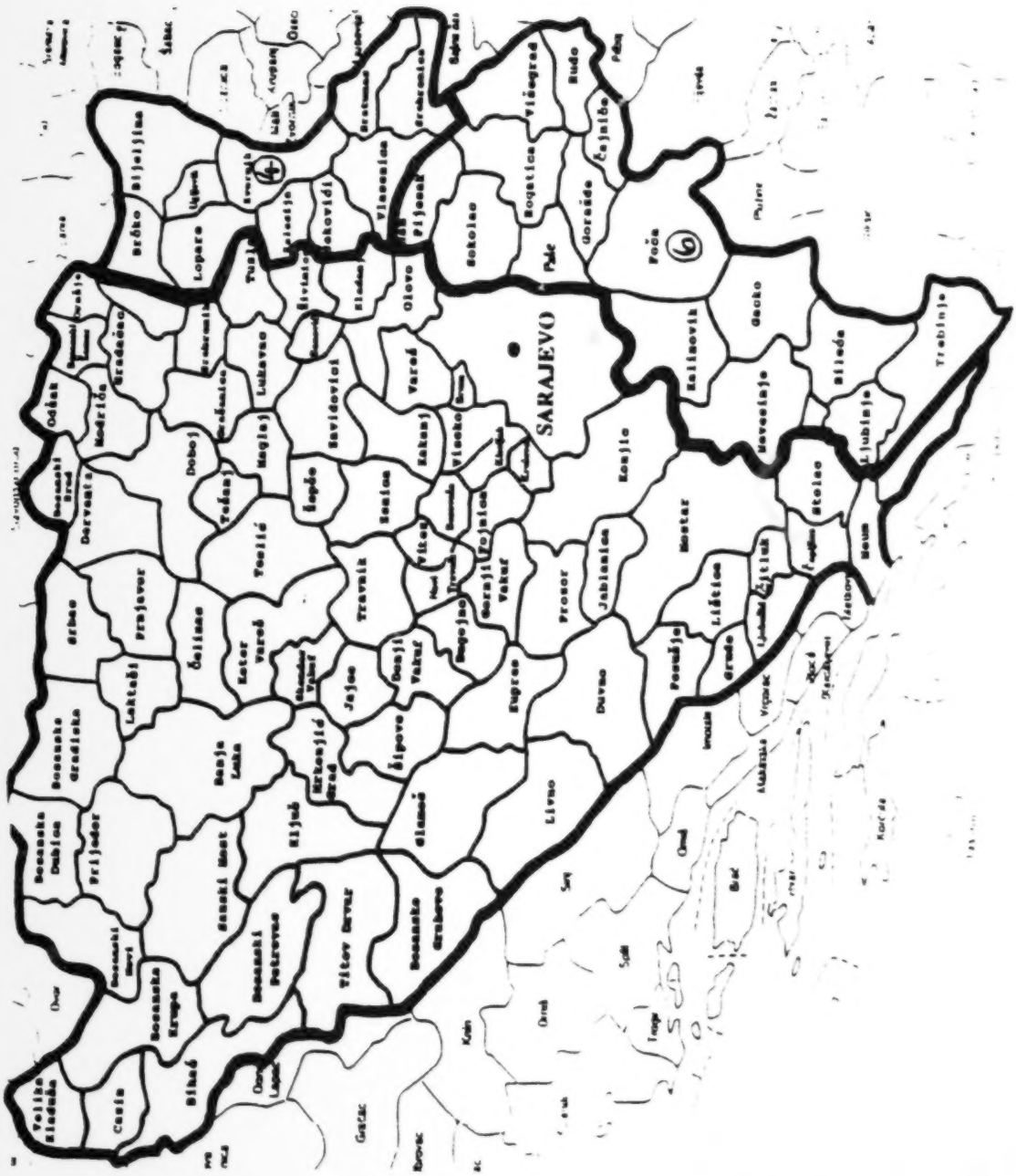
8. Since it is impossible and unprecedented that one ministerial function is carried out by three people, the possible solutions are as follows:

(a) Either the representatives of the three nations alternate after a shorter term in office;

(b) The functions of the minister and his two deputies should be clearly defined.

9. These solutions are to be applied until the end of the war. Upon the establishment of peace, the Parliament and other legal institutions of the system should carry out their functions.

Annex II



DR KARADZIC'S PROPOSAL FOR PROVINCE BOUNDARIES IN EASTERN BOSNIA

Proposed province boundaries: ———

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Annex III

BOSNIA
AND
HERZEGOVINA
SARAJEVO
Banja Luka
Bihać
Prijedor
Sanski Most
Bosanski Petrovac
Ključ
Bosanska Krupa
Bosanska Dubica
Bosanska Gradiška
Kozarska Dubica
Prnjavor
Čelinac
Kotor Varoš
Teslić
Doboj
Derventa
Modriča
Brčko
Bijeljina
Lopare
Srebrenik
Tuzla
Lukavac
Gradačac
Gračanica
Živinice
Kalesija
Sapna
Zvornik
Srebrenica
Bratunac
Skelani
Višegrad
Rudo
Čajniče
Goražde
Foča
Rogatica
Pale
Sokolac
Olovo
Kladanj
Vlasenica
Pilica
Han
Vareš
Kakanj
Visoko
Zenica
Travnik
Vitez
Busovača
Fojnica
Donji Vakuf
Gornji Vakuf
Bugojno
Jajce
Šipovo
Mrkonjić Grad
Glamoč
Bosansko Grahovo
Drvar
Titov Drvar
Livno
Duvno
Tomislavgrad
Posušje
Ljubuški
Čitluk
Mostar
Stolac
Neum
Konjic
Prozor
Jablanica
Ravno
Trebinje
Ljubinje
Bileća
Gacko
Nevesinje
Kalinovik
Rogatica
Višegrad
Rudo
Čajniče
Foča
Goražde
Pale
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Sapna
Srebrenik
Brčko
Bijeljina
Lopare
Doboj
Derventa
Modriča
Teslić
Tešanj
Maglaj
Zavidovići
Žepče
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Donji Vakuf
Gornji Vakuf
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Bosanski Petrovac
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Cazin
Velika Kladuša
Banja Luka
Prijedor
Sanski Most
Ključ
Bihać
Cazin
Velika Kladuša

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25249
8 February 1993

ORIGINAL: ENGLISH

LETTER DATED 5 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 6 October 1992, at 0740 and 0845 hours, an extensive explosion was heard around the geographic coordinates of 625-248 on the map of Ghasr-e-Shirin, in no man's land in Majid-Qadir village. As a result a white smoke covered the area.

2. On 11 October 1992, at 2130 hours, Iraqi forces at the geographic coordinates of 92-82 on the map of Nosoud in no man's land north of the border river of Ab Syravan fired two rounds of Grinov shells towards Iranian forces stationed at Rezayaneh base at the geographic coordinates of 922-799 on the map of Nosoud.

3. On 14 October 1992, at 0930 hours, some Iraqi forces aboard a red truck entered Majid-Qadir village at the geographic coordinates of 622-548 on the map of Ghasr-e-Shirin in no man's land.

4. On 14 October 1992, at 1600 hours, Iraqi forces stationed at the geographic coordinates of 439-671 on the map of Naft-Shahr in no man's land were replaced by new soldiers wearing green uniforms.

5. On 15 October 1992, Iraqi forces aboard an IFA vehicle were observed replacing the forces stationed at the geographic coordinates of 098-724 and 105-721 on the map of Mehran, south of border pillar 33.

It would be highly appreciated if this letter was circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Permanent Representative

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UNITED
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Security Council

Distr.
GENERAL

S/25250
8 February 1993

ORIGINAL: ENGLISH

LETTER DATED 5 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit three notes verbales with attachments dated 1 September 1992, from the Interests Section of the Islamic Republic of Iran in Washington to the Embassy of Pakistan to be forwarded to the United States Department of State on the violation of territory of the Islamic Republic of Iran by the forces of the United States in the Persian Gulf region.

It would be highly appreciated if this letter was circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Permanent Representative

93-07788 3886i (E) 090293

090293

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Annex I

Note verbale dated 1 September 1992 from the Interests Section of the Islamic Republic of Iran in Washington addressed to the Embassy of Pakistan in Washington

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of Pakistan and has the honour to quote the attached messages, in two copies - the original text and an unofficial translation, received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the messages be transmitted to the United States Department of State and that our office be informed of their response at the Embassy's earliest convenience.

Enclosure

According to information received from officials of the Government of the Islamic Republic of Iran, United States warships positioned in the Sea of Oman and the Persian Gulf have created a nuisance for Iranian civilian helicopters on the following dates and hours:

1. On 24 March 1992 at 1530 hours, a helicopter No. 212 with registration mark EP-HBG carrying nine passengers while in flight from Khark Island to Forouzan oil platform and returning therefrom, was warned twice by a United States aircraft carrier and six warships at a distance of 30 miles south-west of Khark Island. The United States warship asked the helicopter its speed and altitude and eventually the flight was disrupted. Then one Sikorsky helicopter and seven fighter aircraft flew from the aircraft carrier and intercepted said helicopter at a distance of 10 miles from its origin.

2. On 27 March 1992 at 0915 hours an Iranian helicopter with registration mark EP-HBG belonging to the Helicopter Services Agency in flight from Khark Island to Forouzan oil platform was intercepted by five United States aircraft, and at 0942 hours, on its way back, seven United States aircraft, by interfering with the ADF of the helicopter tried to change its course.

3. On 27 March 1992 at 1300 hours an Iranian Bell helicopter No. 212 and registration mark EP-HBG en route from Khark Island to Forouzan oil platform was warned by a United States aircraft at about 35 miles south-west of the island. The United States aircraft, by flying very close to the helicopter, caused an interruption to the ADF navigation system of the helicopter.

These actions of United States warships and aircraft, intercepting, warning and creating nuisances for the Islamic Republic of Iran's civilian helicopters, are clear violations of recognized international laws and a clear aggression on the sovereignty of an independent State.

Therefore the Government of the Islamic Republic of Iran protests the unlawful, obstinate and unjustifiable actions which are contrary to all government treaties that are in accordance with international rules and demands that they be stopped at once.

Evidently the United States Government would be fully responsible for the consequences of these actions.

Annex II

Note verbale dated 1 September 1992 from the Interests Section of the Islamic Republic of Iran in Washington addressed to the Embassy of Pakistan in Washington

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of Pakistan, and has the honour to quote the attached messages in two copies, the original text and an unofficial translation, received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of these messages be transmitted to the United States Department of State, and our office be informed of their response at the Embassy's earliest convenience.

Enclosure

According to information received from officials of the Government of the Islamic Republic of Iran, United States warships positioned in the Sea of Oman and the Persian Gulf have created a nuisance for Iranian sea-patrolling aircraft on the following dates and hours:

1. On 26 January 1992 at 0938 hours, a United States warship at the position of N2530 and E5430, from a distance of 28 miles away, warned the pilot of an Iranian sea-patrolling aircraft, whose position was N2559 and E5415, not to get closer.

2. On 20 February 1992 at 1040 hours, a United States warship at the position of N2830 and E5030 warned an Iranian helicopter known as 702 Ziafat en route from Bousher to Fars Island, whose position was N2825 and E5025.

3. On 24 March 1992, a United States warship at the position of N2512 and E5454, from a distance of 35 miles away, warned the pilot of an Iranian sea-patrolling aircraft, whose position was N2547 and E5454, not to get closer to the warship.

4. On 27 March 1992 at 1020 hours, a United States warship at the position of N2521 and E5658, from a distance of 14 miles away, warned the pilot of an Iranian sea-patrolling aircraft, whose position was N2533 and E5648, not to get closer to the warship.

5. On 26 January 1992, at 0942 hours, two United States F-14 aircraft at the position of N2539 and E5421 intercepted an Iranian sea-patrolling aircraft for a period of 10 minutes.

The Government of the Islamic Republic of Iran protests such illegal actions by the Government of the United States.

Annex III

Note verbale dated 1 September 1992 from the Interests Section of the Islamic Republic of Iran in Washington addressed to the Embassy of Pakistan in Washington

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of Pakistan, and has the honour to quote the attached messages, in two copies - the original text and an unofficial translation, received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the messages be transmitted to the United States Department of State and that our office be informed of their response at the Embassy's earliest convenience.

Enclosure

According to information received from officials of the Government of the Islamic Republic of Iran, United States warships positioned in the Sea of Oman and the Persian Gulf have created a nuisance for Iranian sea-patrolling aircraft on the following dates and hours:

On 29 May 1992 at 1045 hours a Bell helicopter No. 212 with registration mark EP-HBJ and at an altitude of 1,000 feet en route from Khark Island to Forouzan oil platform was intercepted by a United States Black Hawk helicopter which was camouflaged in army colours on a course of 210 degrees; the United States helicopter was flying very close to the left of the Iranian Bell helicopter. It suddenly turned right and cut the course of the Iranian helicopter. This action of the United States helicopter; intercepting the helicopter belonging to the Iranian Helicopter Services Agency is a violation of recognized international laws and clear aggression of the sovereignty of an independent State.

Therefore, the Government of the Islamic Republic of Iran protests these unlawful, obstinate and unjustifiable actions which are contrary to all government treaties that are in accordance with international rules and demands that they be stopped at once.

Evidently, the United States Government would be fully responsible for the consequences of these actions.